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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,155	10/03/2000	Michael J. Natkin	07844-479001 / P443	7449

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EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/680,155

Applicant(s)

NATKIN ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Oath/Declaration

It does not identify the city and either state or foreign country of residence of the first inventor. The residence information may be provided on either on an application data sheet or supplemental oath or declaration.

Specification

1. The abstract of the disclosure is objected to because of "50025547.doc" in line 10 should be removed. Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claim 4 is objected to because of the following informalities: "is sorted" should be --are sorted--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

4. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Ubillos (U.S. Patent No. 5,999,173).

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As to claim 1, Ubillos teaches a computer program product, tangibly stored on a computer-readable medium, for calculating the validity of a cached frame of a movie in a movie compositing system, comprising instructions operable to cause a programmable processor to:

maintain a global editing timestamp that is updated with each editing operation performed by the system (col. 2 lines 37-42 and element 60, fig. 3);

establish an interval list for each node in a compositing tree defining a movie (figs. 4 and 5), each node having a range of possible times, an interval list for a node defining, for each possible time in the range, a single editing timestamp corresponding to the possible time (col. 7 lines 54-67 and col. 8 lines 1-8);

update the interval list for a node when the node is edited by adding an interval to corresponding to the period of time affected by the edit and having as its timestamp the timestamp of the edit (col. 14 lines 27-50); and

use the interval list to evaluate the validity of a cached frame for a particular frame time period, the cached frame having been produced by compositing a first node in the compositing tree (figs. 4, 5, 7, and 11), the evaluation being performed by (a) comparing (i) an editing timestamp associated with the cached frame with (ii) the timestamps of all intervals in the interval list that overlap the frame time period (overlap, col. 12 lines 37-53), and (b) treating the cached frame as invalid if any of the intervals' timestamps is later than the timestamp of the cached frame (delete track B, col. 9 lines 39-49).

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As to claim 2, Ubillos teaches the product of claim 1, wherein the product further comprising instructions to:

use the interval lists of all nodes below the first node in the tree to evaluate the validity of the cached frame (elements 51, 53, and 55 of fig. 4 shows selected frames).

As to claim 3, Ubillos teaches the product of claim 1, wherein:

update the global timestamp comprises incrementing the global timestamp (update the construction windows, col. 14 lines 36-50); and

the interval list is stored as a series of pairs (time, timestamp), the series being sorted by time (time order, col. 8 lines 9-20).

As to claim 4, the product of claim 3, wherein:

Ubillos inherently teaches the series of (time, timestamp) pairs is sorted in time ascending order because, according to figs. 2-11, Ubillos shows the time is increasing by frames.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Courtney (U.S. Patent No. 5,969,755) teaches editing, frames, and GUI (cols. 3-16 and figs. 2-26).

Florin et al. (U.S. Patent No. 5,594,509) teach timestamp, images, and display (cols. 2-30 and figs. 13-36).

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Freeman et al. (U.S. Patent No. 6,006,227) teach pictures, order, and time (cols. 2-14 and figs. 1-8).

Kurakake et al. (U.S. Patent No. 6,078,005) teach editing system, frames, time, and display (cols. 2-16 and figs. 4-5).

Rangan et al. (U.S. Patent No. 6,154,771) teach playback, frames, editing, and time (cols. 8-302-8).

Walsh et al. (U.S. Patent No. 5,903,261) teach display, video, frames, and time (cols. 1-13).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong
February 10, 2003

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100